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November 21, 2016

The Honorable Christopher J. Burke
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: Contour IP Holding, LLC, et al. v. GoPro, Inc., C.A. No. 15-1108 (LPS) (CJB)

Dear Judge Burke:

As GoPro has previously informed the Court and Plaintiff, GoPro will move to transfer this case to the Northern District of California. GoPro believes that resolution of this motion before a schedule is set and before the case progresses any further would be in the best interests of the parties and the Court. *See, e.g., In re EMC*, 501 Fed. App'x 973, 975-76 (Fed. Cir. 2013) (recognizing "the importance of addressing motions to transfer at the outset of litigation"). The parties have conferred on this motion, and plaintiff has not yet told GoPro whether it will oppose a transfer. GoPro intends to file its motion, whether opposed or unopposed, no later than tomorrow.

In the revised scheduling proposal submitted today by the parties (D.I. 81), GoPro proposed dates that will allow the Court time to resolve the motion to transfer before this case proceeds further to conserve the parties' and the Court's resources. To that end, GoPro respectfully requests that the Court enter its proposed schedule. In the alternative, GoPro requests that the Court refrain from entering a scheduling order until its motion to transfer is resolved.

GoPro also requests an opportunity to submit further argument on its proposals to narrow the case, including its proposed limit on the number of asserted claims in plaintiff's final infringement contentions. *See* D.I. 81 at ¶ 5(b) and n. 2.

Respectfully,



Michael Flynn (# 5333)

cc: Clerk of Court
All counsel of record